

(I) Chapter 89 of such title (relating to health insurance).

(J) Chapter 90 of such title (relating to long-term care insurance).

(3) RELATIONSHIP TO RETIREMENT BENEFITS LAWS.—The retirement benefits program referred to in subsection (a) shall permit the employees of the Corporation to be eligible, unless the CEO determines otherwise, for benefits under—

(A) subchapter III of chapter 83 and chapter 84 of title 5, United States Code (relating to retirement benefits); or

(B) chapter 8 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4041 et seq.) (relating to the Foreign Service Retirement and Disability System).

(c) APPOINTMENT AND TERMINATION.—Except as otherwise provided in this section, the CEO may, without regard to any civil service or Foreign Service law or regulation, appoint and terminate employees as may be necessary to enable the Corporation to perform its duties.

(d) COMPENSATION.—

(1) AUTHORITY TO FIX COMPENSATION.—Subject to the provisions of paragraph (2), the CEO may fix the compensation of employees of the Corporation.

(2) LIMITATIONS ON COMPENSATION.—The compensation for an employee of the Corporation may not exceed the lesser of—

(A) the rate of compensation established under title 5, United States Code, or any Foreign Service law for an employee of the Federal Government who holds a position that is comparable to the position held by the employee of the Corporation; or

(B) the rate of pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(e) TERM OF EMPLOYMENT.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), no individual may be employed by the Corporation for a total period of employment that exceeds 5 years.

(2) EXCEPTED POSITIONS.—The CEO, and not more than 3 other employees of the Corporation who are designated by the CEO, may be employed by the Corporation for an unlimited period of employment.

(3) WAIVER.—The CEO may waive the maximum term of employment described in paragraph (1) if the CEO determines that such waiver is essential to the achievement of the purposes of this division.

(f) AUTHORITY FOR TEMPORARY EMPLOYEES.—The CEO may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(g) DETAIL OF FEDERAL EMPLOYEES TO THE CORPORATION.—Any Federal Government employee may be detailed to the Corporation on a fully or partially reimbursable or on a non-reimbursable basis, and such detail shall be without interruption or loss of civil service or Foreign Service status or privilege.

(h) REINSTATEMENT.—An employee of the Federal Government serving under a career or career conditional appointment, or the equivalent, in a Federal agency who transfers to or converts to an appointment in the Corporation with the consent of the head of the agency is entitled to be returned to the employee's former position or a position of like seniority, status, and pay without grade or pay reduction in the agency if the employee—

(1) is being separated from the Corporation for reasons other than misconduct, neglect of duty, or malfeasance; and

(2) applies for return to the agency not later than 30 days before the date of the termination of the employment in the Corporation.

SEC. 3205. PERSONNEL OUTSIDE THE UNITED STATES.

(a) ASSIGNMENT TO UNITED STATES EMBASSIES.—An employee of the Corporation, including an individual detailed to or contracted by the Corporation, may be assigned to a United States diplomatic mission or consular post or a United States Agency for International Development field mission.

(b) PRIVILEGES AND IMMUNITIES.—The Secretary of State shall seek to ensure that an employee of the Corporation, including an individual detailed to or contracted by the Corporation, and the members of the family of such employee, while the employee is performing duties in any country or place outside the United States, enjoy the privileges and immunities that are enjoyed by a member of the Foreign Service, or the family of a member of the Foreign Service, as appropriate, of comparable rank and salary of such employee, if such employee or a member of the family of such employee is not a national of or permanently resident in such country or place.

(c) RESPONSIBILITY OF CHIEF OF MISSION.—An employee of the Corporation, including an individual detailed to or contracted by the Corporation, and a member of the family of such employee, shall be subject to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) in the same manner as United States Government employees while the employee is performing duties in any country or place outside the United States if such employee or member of the family of such employee is not a national of or permanently resident in such country or place.

SEC. 3206. USE OF SERVICES OF OTHER AGENCIES.

The Corporation may utilize the information services, facilities and personnel of, or procure commodities from, any agency of the United States Government on a fully or partially reimbursable or nonreimbursable basis under such terms and conditions as may be agreed to by the head of such agency and the Corporation for carrying out this division.

SEC. 3207. ADMINISTRATIVE AUTHORITIES.

The Corporation is authorized to use any of the administrative authorities contained in the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) unless such authority is inconsistent with a provision of this division.

SEC. 3208. APPLICABILITY OF CHAPTER 91 OF TITLE 31, UNITED STATES CODE.

The Corporation shall be subject to chapter 91 of title 31, United States Code.

TITLE XXXIII—THE MILLENNIUM CHALLENGE ACCOUNT AND AUTHORIZATION OF APPROPRIATIONS

SEC. 3301. ESTABLISHMENT OF THE MILLENNIUM CHALLENGE ACCOUNT.

There is established on the books of the Treasury an account to be known as the Millennium Challenge Account that shall be administered by the CEO under the direction of the Board. All amounts made available to carry out the provisions of this division shall be deposited into such Account and such amounts shall be available to carry out such provisions.

SEC. 3302. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out the provisions of this division \$1,000,000,000 for fiscal year 2004, \$2,300,000,000 for fiscal year 2005, and \$5,000,000,000 for fiscal year 2006.

(b) AVAILABILITY.—Funds appropriated under subsection (a)—

(1) are authorized to remain available until expended, subject to appropriations acts; and

(2) are in addition to funds otherwise available for such purposes.

(c) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—The Corporation may allocate or transfer to any agency of the United States Government any of the funds available for carrying out this division. Such funds shall be available for obligation and expenditure for the purposes for which authorized, in accordance with authority granted in this division or under authority governing the activities of the agencies of the United States Government to which such funds are allocated or transferred.

(2) NOTIFICATION.—The notification requirements of section 634A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1(a)) shall apply to any allocation or transfer of funds made pursuant to paragraph (1).

SA 1975. Mr ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2800, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 147, between lines 6 and 7, insert the following new section:

CONDITION ON THE PROVISION OF IMET FUNDS TO INDONESIA

Sec. 692. (a) Subject to subsection (c), no funds appropriated by title IV of this Act, under the subheading "INTERNATIONAL MILITARY EDUCATION AND TRAINING" under the heading "FUNDS APPROPRIATED TO THE PRESIDENT" shall be made available for military education and training for Indonesia prior to the date on which the President makes the certification described in subsection (b).

(b) The certification referred to in subsection (a) is a certification submitted by the President to the appropriate congressional committees that the Government of Indonesia and the Indonesian Armed Forces are taking effective measures, including cooperating with the Director of the Federal Bureau of Investigation—

(1) to conduct a full investigation of the attack on United States citizens in West Papua, Indonesia on August 31, 2002; and

(2) to criminally prosecute the individuals responsible for such attack.

(c) Nothing in this section shall prohibit the United States Government from continuing to conduct programs or training with the Indonesian Armed Forces, including counter-terrorism training, officer visits, port visits, or educational exchanges that are being conducted on the date of the enactment of this Act.

(d) In this section, the term "appropriate congressional committees" means the Committee on Appropriations and Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, October 29, 2003 at 10 a.m. in room 106 of the Dirksen Senate Office Building to conduct a business meeting to consider pending committee business; to be followed immediately by a hearing on S. 1770, the Indian Money Account Claims Satisfaction Act of 2003.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.